

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

SCHEDULING ORDER

05-CR-6161L

v.

CONSTANCE ROEDER, et al.,

Defendants.

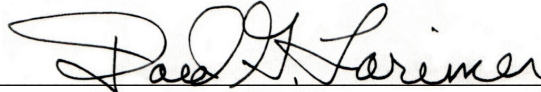
Proceedings are still pending concerning the Government's request for criminal forfeiture of both real property and personal property owned, controlled, or in the possession of either defendant John Nicolo or defendant Constance Roeder. Defendant, Constance Roeder, asserts that several items which the Government seeks to forfeit are not subject to forfeiture.

Attorneys for the Government and for Ms. Roeder have now apparently completed discovery and based on the Court's conference with counsel on July 19, 2010, the following schedule shall control the prosecution and trial of this ancillary proceeding:

1. Summary judgment motions, if any, must be filed on or before September 13, 2010.
2. Ms. Roeder must respond on or before October 4, 2010.
3. The Court will hold argument on the motion on October 13, 2010 at 10 a.m.

If the matter is not resolved by the above proceedings, the Court hereby schedules trial and a hearing on November 8, 2010 at 9 a.m.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "David G. Larimer", is written over a horizontal line.

DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
July 20, 2010.